



TOWN of BROOKLINE

Massachusetts

BOARD OF SELECTMEN

NEIL A. WISHINSKY, Chairman
NANCY A. DALY
BENJAMIN J. FRANCO
NANCY S. HELLER
BERNARD W. GREENE

333 WASHINGTON STREET
BROOKLINE, MASSACHUSETTS 02445.
TEL. (617) 730-2200
FAX: (617) 730-2054
www.brooklinema.gov

MELVIN A. KLECKNER
Town Administrator

January 5, 2017

By hand and mail to:

Ms. Jenny Yu, Owner/Manager
BJD Management Corp., d/b/a Shanghai Jade
1374 Beacon St. R4A
Brookline, MA 02446

Ms. Jenny Yu, Owner/Manager
66 Winchester St., Apt. 22
Brookline, MA 02446

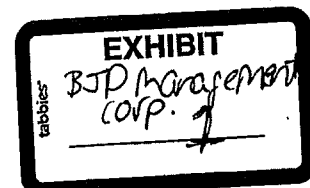
By email to: grasshopper@gmail.com

Re: HEARING NOTICE

Dear Ms. Yu:

Pursuant to General Laws Chapter 138, Section 64, the Board of Selectmen of the Town of Brookline, as the local Licensing Authority (hereinafter "Licensing Authority"), hereby gives notice to the Licensee, BJD Management Corp., d/b/a Shanghai Jade, 1374 Beacon St. R4A, Brookline, MA, that the Licensing Authority will hold a hearing on Tuesday, January 17, 2017, at approximately 8:30 p.m., in the Selectmen's Hearing Room, Sixth Floor, Town Hall, 333 Washington St., Brookline, Massachusetts, at which time the Licensee will be given a reasonable opportunity to appear and be heard, with or without counsel, on the issue of whether or not the Licensing Authority should modify, suspend, revoke, cancel or not renew for the 2018 annual licensing period its Wine and Malt Beverages License, and/or set any conditions precedent to any modification, reinstatement or renewal of any such license, based upon the following charge:

1. Maintenance of an inactive liquor license in violation of Section A.11 of the Town of Brookline's Sale of Alcoholic Beverages Regulations ("Regulations").



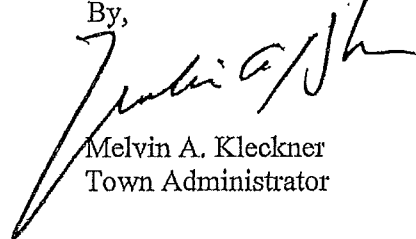
Ms. Jenny Yu
January 5, 2017
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I enclose a relevant excerpt from the Regulations, which are incorporated by reference.
A full copy of the Regulations can be found on the Town's website,
www.brooklinema.gov, at the Selectmen's Office's Licensing Regulations page.

Please contact Associate Town Counsel Patricia Correa at (617) 730-2190 to discuss this
matter upon your receipt of this Hearing Notice.

BOARD OF SELECTMEN,

By,

A handwritten signature in black ink, appearing to read "Melvin A. Kleckner", is written over the printed name and title.

Melvin A. Kleckner
Town Administrator

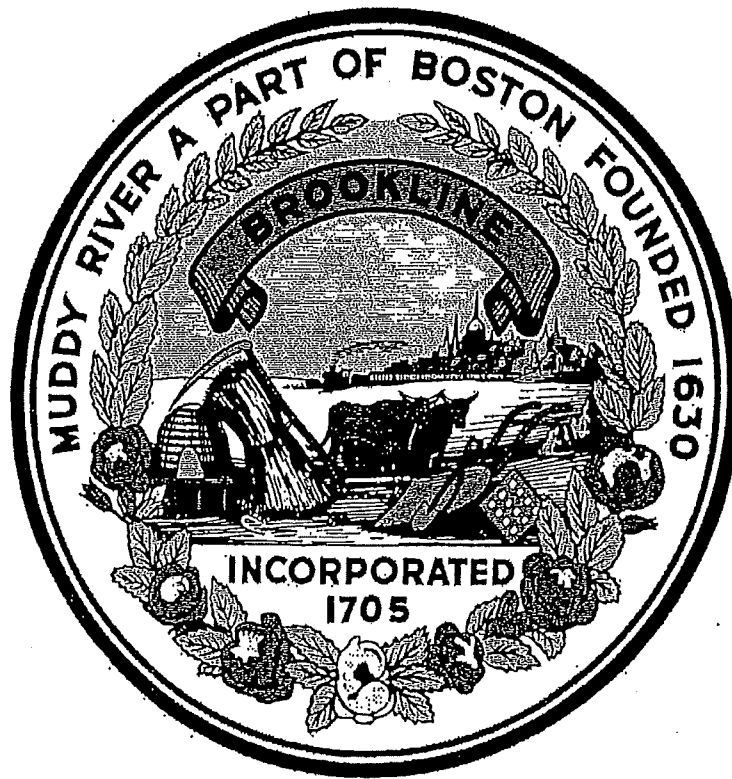
Enclosure

cc:

Patricia Correa, Esq.
Associate Town Counsel, Town of Brookline

TOWN OF BROOKLINE
Massachusetts
BOARD OF SELECTMEN

SALE OF ALCOHOLIC BEVERAGES REGULATIONS



(Voted: April 17, 1990; Amended: October 25, 2011; October 29, 2013; April 24, 2014; December 17, 2014)

and other barriers, entrances and exits, and interior doors, and describing the premises' signage and any other exterior and interior decorations or features. Applicants must comply with the provisions of the Town of Brookline's Sign By-Law.

Where there are no premises actually in existence at the time of an application, the applicant shall submit with its application a detailed description as described above, describing the premises proposed to be constructed.

A licensee must apply for and obtain the Board's approval prior to making any a) structural change to the premises, b) change in Board-approved alcohol service areas, c) physical change that results in an increase in seating capacity, and d) physical change to the premises pertaining to the fixed placement of tables, chairs, stools, fixed seating, booths, service counters or bars, entertainment areas, dance floors, kitchen facilities, bathrooms, hallways, rooms, railing partitions and other barriers, entrances and exits, interior doors, and signage and any other exterior decorations or features. An application for any such physical change shall be accompanied by a description, illustration and/or detailed plan (drawn to scale as may be necessary) describing the premises with such proposed changes.

Prior to their approval by the Board, the Building Commissioner shall approve all plans contemplated by this Section A.7.

The Board may suspend, cancel or revoke a license in the event it determines that the licensee constructed or made changes to the premises in violation of this Section A.7.

(See M.G.L. c. 138, §§ 2, 12, 15A, 23, 30H; Article 5.8 of the Town of Brookline By-Laws.)

A.8.) Taxes and Charges

All taxes and charges owed to the Town must be paid on a current basis. The Town may place a lien on the property of any person who has an outstanding balance due the town from any fee, charge or tax, which balance is at least six months past due.

(See M.G.L. c. 40, § 57 (adopted by the Town in November 1995); Article 4.7 of the Town of Brookline By-Laws; 1986 Mass. Acts ch. 316.)

A.9.) Corporate and Trade Names

No licensee shall assume obligations for a licensed premise or conduct business under any corporate or trade name (DBA) other than that stated on the license. Any change in corporate name or status or any change in trade name (DBA) from that the Board previously approved shall require the prior approval of the Board.

A.10.) Corporate Transactions and Changes in Operations

The licensee shall not change Manager, Alternative Manager, or corporate directors or officers; sell or transfer corporate stock, control or ownership interest in the licensed entity; pledge corporate stock, an ownership interest, the liquor license, or inventory as security; change the corporate name; accept a loan or credit from another licensee; or make any significant change in the operations (such as changes to hours of food and alcoholic beverages service, and changes to food and beverages (including alcoholic beverages) offerings), without first obtaining the approval of the Board. No person may have a direct or indirect beneficial interest in a license without first obtaining the approval of the Board.

(See M.G.L. c. 138, §§ 2, 15A, 23, 25, 26.)

A.11.) Cessation of Operations / Permission Required

Any licensee intending to close a place of business or cease sales of alcoholic beverages, whether on a temporary or permanent basis, must notify the Board in writing and obtain its prior permission, stating the reason for and length of such closing or inactivity. Failure to provide such notice and to obtain such permission may, after hearing or reasonable opportunity therefor, result in cancellation of the license.

(See M.G.L. c. 138, §§ 23, 77.)

CERTIFICATE OF SERVICE


I, Keith Laay hereby certify that I have this day caused the original of the attached HEARING NOTICE, pursuant to Massachusetts General Laws chapter 138, Section 64, to be served by hand on Ms. Jenny Yu, Owner/Manager, BJD Management Corp., d/b/a Shanghai Jade, at the following two addresses and on the following two dates/times:

1. 1374 Beacon St. R4A, Brookline, MA 02445 at ____ (a.m.)(p.m.) on the following date: _____; AND

2. 66 Winchester St., Unit 22, Brookline, MA 02446, at 2:25 (a.m.)(p.m.) on the following date:

Jan 5th 2017. Package left at mailboxes.

Signed under the pains and penalties of perjury.

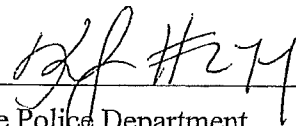

Brookline Police Department
350 Washington Street
Brookline, Massachusetts

CERTIFICATE OF SERVICE

I, Keith Lacy hereby certify that I have this day caused the original of the attached HEARING NOTICE, pursuant to Massachusetts General Laws chapter 138, Section 64, to be served by hand on Ms. Jenny Yu, Owner/Manager, BJD Management Corp., d/b/a Shanghai Jade, at the following two addresses and on the following two dates/times:

1. 1374 Beacon St. R4A, Brookline, MA 02445 at 2:20 (a.m.)(p.m.) on the following date: left envelope between doors; AND
of restaurant on 1-5-17
2. 66 Winchester St., Unit 22, Brookline, MA 02446, at ____ (a.m.)(p.m.) on the following date:

Signed under the pains and penalties of perjury.


Brookline Police Department
350 Washington Street
Brookline, Massachusetts